

OCT 06 2000

DECLARATION WITH POWERAttorney's Docket No.: 0107-026

I, the undersigned inventor hereby declare that my residence, post office address, and my citizenship are correctly stated below following my signature; that to the best of my knowledge I am the first, original and joint inventor of the invention described and claimed in the application for United States Letters Patent, having the title CONDUCTINE PROTEIN AND A RELATED AGENT FOR DIAGNOSING AND TREATING TUMOR ILNESSES, the description of which was filed in the United States Patent and Trademark Office on June 5, 2000, and I state that I reviewed and understand the contents of the enclosed specification and claims and recognize my obligation pursuant to 37 C.F.R. 1.56 to disclose all information that is material to the patentability of this patent application. I hereby state that I authorized the filing of this application.

I hereby claim the benefit of priority under 35 U.S.C. 119 of German patent application No. 197 38 205.3 filed on September 2, 1997, and then as International Application No. PCT/DE98/02621, filed on September 1, 1998.

I hereby appoint Gabriel P. Katona, Reg. No. 20,829; Sharon Blinkoff, Reg. No. 28,284; Henry Coleman, Reg. No. 32,559; and Neil R. Sudol, Reg. No. 31,669 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and I hereby request that all correspondence herein be directed to Gabriel P. Katona L.L.P., 708 Third Avenue, 14th floor, New York 10017; Telephone (212)370-4000; fax (212)370-7336.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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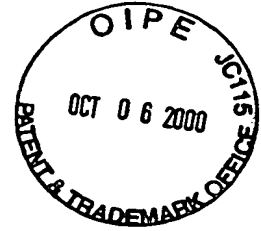
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's Docket 0107-026P

Applicant: Jürgen Behrens et al.

Serial No.: 09/587,574

Filed: June 5, 2000

For: CONDUCTINE PROTEIN AND A RELATED AGENT FOR DIAGNOSING
AND TREATING TUMOR ILLNESSES.**CLAIM FOR SMALL ENTITY STATUS
(NONPROFIT INSTITUTION AND INSTITUTION OF HIGHER EDUCATION)**

I hereby declare that I am an official empowered to act on behalf of the following

☐ Institution of higher education, or☒ Nonprofit institution

Name of Organization: Max-Delbrück Centrum für Molekulare Medizin

Address: Robert Rössle Str. 10, 13125 Berlin, Germany

It is hereby declared that the rights in and to the above-identified application or patent have not been assigned or licensed, and that there is no obligation to license or to assign such rights to any organization that, together with any and all of its affiliates, had more than 500 full- and part-time employees within the last 12 months.

The duty is acknowledged in this application or patent, to notify any change in status resulting in loss of entitlement to small entity status, prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date of which status as a small entity is no longer appropriate.

I hereby declare further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration applies.

MAX-DELBRÜCK CENTRUM FÜR MOLEKULARE MEDIZIN

July 31, 2000Name: Prof. Dr. D. Ganten Dr. E. JostTitle: Scientific Director Admin. Director**MDC** MAX-DELBRÜCK-CENTRUM
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